

ASSEMBLY BILL

No. 1120

Introduced by Assembly Member Niello

February 27, 2009

An act relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1120, as introduced, Niello. School facilities: construction: cost containment.

Existing law requires the governing board of a school district to let a contract for a public project that involves \$15,000, as annually adjusted for inflation since 1997 by the Superintendent of Public Instruction. Public project is defined as the construction, reconstruction, erection, alteration, renovation, improvement, demolition, repair work, painting, and repainting that involves a public owned, leased, or operated facility.

Existing law authorizes the state or any other public entity in any public works contract awarded to the lowest bidder to provide for the payment of extra compensation to the contractor for the cost reduction changes in the plans and specifications for the project made pursuant to a proposal submitted by the contractor. The extra compensation to the contractor is 50% of the net savings in construction costs as determined by the public entity. Existing law prohibits the contractor from being required to perform the changes contained in an eligible change proposal unless the proposal was accepted by the public entity.

This bill would state the intent of the Legislature to enact legislation that would provide an incentive for school districts and building contractors to engage in cost containment when constructing school facilities, as is currently authorized.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. This bill would state the intent of the Legislature
2 to enact legislation that would provide an incentive for school
3 districts and building contractors to engage in cost containment
4 when constructing school facilities, as is currently authorized in
5 Section 7107 of the Public Contract Code.

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